

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BRIAN OTERO, individually and)	
on behalf of a class of similarly situated)	
individuals,)	
)	12 C 3148
Plaintiff,)	
)	Honorable Judge
vs.)	Amy J. St. Eve
)	
THOMAS J. DART, <i>et al.</i>)	Magistrate Judge
)	Michael T. Mason
Defendants.)	

DEFENDANT’S REPORT ON THE STATUS OF NON-MONETARY RELIEF

NOW COME Defendants, Sheriff Thomas J. Dart and Cook County, by their attorney ANITA ALVAREZ, State's Attorney of Cook County, through her assistant, Anthony E. Zecchin, and submit to this Honorable Court, pursuant to paragraph 2, p. 4 of the Settlement Agreement, Dkt. no. 273, the following status report.

1. Mechanism for promptly identifying Potential Male Court Discharges after their court appearance.

Status: At the Criminal Courts Building (“CCB”), once a criminal defendant is determined to be a potential discharge by the court, courtroom deputies notify RCDC (Receiving, Classification and Diagnostic Center) “runners” as soon as possible over the radio to retrieve the detainee’s paperwork from the courtroom and then Records Department “runners” are notified to pick up that paperwork from the RCDC Bridge. Records Department staff is also notified at that time so the review of paperwork can begin. For those criminal defendants at suburban courthouses, a list of potential discharges is created and emailed to the Records Department after

each transportation unit leaves the courthouse location, which allows the paperwork review to begin prior to the detainee arriving back at the Cook County Jail.

2. Procedure under which all Potential Male Discharges are segregated in the RCDC from other inmates returning from court.

Status: At all courthouses, potential discharges are immediately separated from other detainees and segregated in separate bullpens behind the respective courtrooms. Potential Male Discharges are returned to the RCDC Bridge and then to Receiving where they are placed in designated bullpens and kept separate from other detainees.

3. Procedure under which all Potential Males Court Discharges are not required to return to the general jail population.

Status: All Potential Male Court Discharges remain in designated bullpens in Receiving and do not return to their living units. Once it is confirmed that the detainee is going to be discharged, his property and clothing are brought to Receiving. The detainee is then brought to Division 5 to complete the discharge procedure.

4. A policy in the Records Division of the Cook County Department of Corrections (CCDOC) under which the administrative steps necessary to release a detainee whose situation would define him as a member of the class are given priority over processing the paperwork of other inmates returning from court back to the CCDOC who are not subject to release.

Status: As described above, staff from outlying courthouses create a list of Potential Male Court Discharges and email it to the Records Department to begin the paperwork review. At the CCB, deputies notify “runners” who pick up the courtroom paperwork and bring it to the RCDC Bridge. Paperwork at the RCDC Bridge for Potential Court Discharges is immediately separated from other detainees’ paperwork and “runners” from the Records Department are notified to

retrieve the paperwork and bring it back to the Records Department to complete the discharge procedure. Once the paperwork is brought to the Records Department, Potential Court Discharges, both male and female, are given priority in processing over detainees that still have other pending criminal matters or other holds.

5. A policy in the Records Division under which the administrative steps necessary to release a detainee after a finding of not guilty, an acquittal or other dismissal of charges are undertaken in a gender-neutral manner.

Status: All Potential Court Discharges are processed as received without regard to whether the Potential Court Discharge is male or female.

Respectfully submitted,
ANITA ALVAREZ
State's Attorney of Cook County

/s/ Anthony E. Zecchin
Anthony E. Zecchin
Assistant State's Attorney
500 Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-3373